



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,261	02/23/2004	Philippe D. Christou	0179.0045	8890
37247	7590	12/15/2004	EXAMINER	
DAVID J. OLDENKAMP, ESQ. SHAPIRO & DUPONT LLP 233 WILSHIRE BOULEVARD, SUITE 700 SANTA MONICA, CA 90401			DIXON, MERRICK L	
		ART UNIT	PAPER NUMBER	
		1774		

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/785,261	CHRISTOU
	Examiner Merrick Dixon	Art Unit 1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 09 June 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date see office action.

- MERRICK DIXON  
**PRIMARY EXAMINER**
- 4) Interview Summary (PTO-1447)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
  - 5) Notice of Informal Patent Application (PTO-152)
  - 6) Other: \_\_\_\_\_.

Art Unit: 1774

15

The instant office action includes an initialed, signed PTO-1449 with date of 6-9-2004.

16

The herinafter rejections of claims 1-9 are made without the optional thermoplastic material in the composite as set forth in independent claim 1.

17

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

18

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent 1346246.

The Uk patent teaches the claimed invention including a fibrous reinforcement comprising a fibrous support and a compound comprising thermosetting prepolymers and an inorganic phosphorus compound wherein the treatment ratio for the fibrous support with the phosphorus compound fall within 2-20% by weight- Page 1, col 1, line 45 – col 2, line 68; page 2, col 1, line 34- col 2, line 114. Concerning claims 2 and 3, the cited reference teaches the claimed disposition of the phosphorus compound within the support – page 1, col 2, lines 74-84; page 2, col 1, lines 54-55. Concerning claim 4, the

cited reference teaches similar compound's resin component and inorganic compound-page 2, line 113-116. Concerning claims 6 and 7, as stated above, the thermoplastic material were not considered ,as same is optional in the invention, as admitted in claim 1. Accordingly , the claims are believed indefinite and lack proper antecedent basic. Applicants are requested to make related correction of same claims to expediate their respective examination. Concerning claim 5, the reference teaches the thermosetting polymer on page 2, col 1, line 13. it is further submitted that the claimed softening temperature would be inherent. cone claimed softening temperature would be inherent. Concerning claim 7, the reference teaches red phosphorus on page 1, col 1, line 45. Concerning claim 8, the reference teaches epoxy resins on page 2, col 1, lines 12-13.

19

Claims 10-17 are rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent 1346246.

The cited reference teaches the claimed invention including a process for making a fibrous reinforcement comprising a fibrous support , said method comprising providing a mixture , providing a fibrous support and treating the support with said mixture page 1, col 1, line 39 – col 2, line 75; page 2, col 1, lines 34-58; page 3, col 1, lines 14-44.

Concerning claim 11, the cited reference teaches the steps of applying pulverulent mixture onto the surface and fusing same to the surface- page 2, col 2, lines 111-118; page 2, col 2, lines 71-80; page 1, col 2, lines 56-68. Concerning claim 12 ,13,14, 16 and 17, it is respectfully submitted that such claimed article limitations are of no

patentable consequences to the instant question for patentability which must be patentable distinct and effect the method in a manipulative sense- Ex parte Pfeiffer, 1962 C.D. 408 (1961). However, the cited reference teaches the thermosetting material on page 2, lcol 1, lines 12-19. Additionally, the reference teaches red phosphorus on page 1, col 1, line 45. Concerning claim 15, it is submitted the reference teaches dispersion of the mixture in water and immersing the support in same- page 1, col 2, lines 56-77.

20

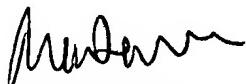
Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can do so by using the Examiner's personal fax number at 571-273-1520. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 ( November 15, 1989). **NOTE: All facsimiles sent to the examiner's personal fax number should be in draft-forms and will be treated as informal.**  
**Same facsimiles will not be entered in the related applications unless otherwise agreed and noted by the examiner.**

**The fax number for all other fascimile is 703-872-9306.**

Information about the status of an application may be obtained from the Patent Information Retrieval system (**Private PAIR**).

Status inquires for **published applications** may be retrieved from either **Private PAIR** or **Public PAIR**. Questions about the PAIR system should be directed to the Electronic Business Center at **866-217-9197**.

Any questions concerning the instant communication should be directed to Examiner Dixon, at 571-272-1520, Mondays to Thursdays, between 12 noon and 8 PM, eastern time . The examiner's supervisor, Mrs. Rena Dye, can be reached at 571-272-3186.



Merrick Dixon

Primary Examiner  
Group 1700